



A. Purpose

The Hoboken Dual Language Charter School has established a Student Code of Conduct & Procedures which is designed to define unacceptable conduct and consequences therein. It is HoLa's expectation that all students conduct themselves in a manner that is respectful of themselves and others with whom they interact within the educational environment. We are committed to the rights and welfare of all. This commitment is dependent upon each student conducting themselves in a mature and responsible manner. The purpose of the code and these procedures is to achieve the following purposes:

- Foster the health, safety, social and emotional well-being of students
- Support the establishment and maintenance of civil, safe, secure, supportive and disciplined school environments conducive to learning
- Promote achievement of high academic standards
- Prevent the occurrence of problem behaviors
- Establish parameters for the intervention and remediation of student problem behaviors at all stages of identification and
- Establish parameters for school responses to violations of the student code of conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of the student offenders and student's histories of inappropriate behaviors

B. Enacting Disciplinary Measures

Research indicates that the most effective way to prevent and address student infractions is for educators to establish meaningful rapport with students. *Excessive disciplining without initial teacher management can be counterproductive.*

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self discipline.

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

- Student's age, grade and maturation
- The student's prior disciplinary record and or knowledge of student's behavior style
- The nature of the offense and the circumstances that led to the offense.
- The effectiveness of other forms of discipline.
- Information from parents, teachers and/or others, as appropriate



- Student's intent
- Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. *A student identified as having a disability shall not be disciplined for behavior related to his/her disability.*

The School Director or designee has the right to impose a consequence on a student for conduct away from school grounds pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2 or when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences shall be handled pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.5.

There are four levels of prohibited conduct:

Level I (Minor Infraction)

Level II (Moderate Infraction)

Level III (Major Infraction)

Level IV (Judicial Infraction)

The administrator will maintain a record of the offense and the disciplinary action taken (hardcopy/computer). A copy will be placed in the teacher's mailbox.

C. Level I (Minor Infraction)

Corrective Measures Administered by:

Teachers, administrators, and authorized personnel

Procedures

1. The teacher will exercise all reasonable effort to address the infractions utilizing classroom management techniques and responses inclusive of, but not limited to, Responsive Discipline.
2. If the student does not respond then the teacher will complete and submit a disciplinary form to an administrator.
3. The administrator will, after reviewing the report and speaking with the student and/or the teacher, determine the most appropriate disciplinary response.
4. The parent may be notified of minor/mild infractions and shall be notified of moderate, severe, and judicial infractions.

Level I -Minor Infraction/Actions and Possible Disciplinary Responses:

a. Poor attendance (3 absences or/3 latenesses in a month)

Verbal Reprimand/ Parental Notification

b. Littering

Special Written Assignment

c. Copying homework

Verbal Reprimand/Parental Notification



- d. **Inappropriate Language or Rudeness**
Verbal Reprimand/Parental Conference
- e. **Playing in Class or Other Prohibited Areas**
Verbal Reprimand/Detention
- f. **Use of cell phones, i-pod or Other Electronics in Class or Other Prohibited Areas**
Behavioral Contract/Verbal Reprimand/Parental Conference

D. Level II (Moderate Infraction)

Corrective Measures Administered by:

Administrators, and authorized personnel

Procedures

1. The observer will complete and submit a disciplinary form to an administrator.
2. The administrator investigates matter and written statements are taken as needed.
3. After reviewing the report and the completion of the investigation the administrator will confer with the parent about the documented misbehavior, its extent and subsequent disciplinary action.
4. If appropriate, the administrator contacts law enforcement officials.

Level II (Moderate Infraction- Actions) and Possible Responses:

- a. **C heating**
Verbal reprimand/parental conference/detention
- b. **Walking Out of Class**
Parental Conference Required/In School Suspension
- c. **Leaving School Premises**
Parental Conference Required/Out of School Suspension/Police Notification if Necessary
- d. **Writing on or Disrespecting of School Property**
Parental Conference Required/Detention/Restitution if Necessary
- e. **Recklessness**
Parental Conference Required/Out of School Suspension
- f. **Taunting of Student Because of Individual Differences**
Parental Conference Required/Out of School Suspension
- g. **Inappropriate Use of Electronic Equipment**
Parental Conference Required/Special Written Assignment
- h. **Horse-playing in Hall or Cafeteria**
Parental Notification/Verbal Reprimand/Detention
- i. **Insubordination**
Out of School Suspension/Parental Conference Required
- j. **Inappropriate Literature/Illustrations**
Parental Conference Required/In School Suspension
- k. **Plagiarism**
Parental Conference Required/Special Written Assignment/Denial of Extracurricular Activities for a Month



l. Disruption of Classroom Instruction

Verbal Reprimand/Parental Notification/Removal of student from classroom

m. Directly or Indirectly Promoting Other Students to Violate Code of Conduct

Parental Conference Required/Out of School Suspension

o. Neglect of safety rules and procedures

Parental Conference Required/In School Suspension

p. Use of school operated equipment without permission

Parental Conference Required/In School Suspension

q. Repeated (3) offenses of Level I infractions

Parental Conference Required/In School Suspension

E. Level III (Severe Infraction)

Corrective Measures Administered by:

Administrators

Procedures

1. The observer will complete and submit a disciplinary form to an administrator.
2. The administrator investigates matter and written statements are taken as needed.
3. After reviewing the report and the completion of the investigation the administrator will confer with the parent about the documented misbehavior, its extent and subsequent disciplinary action.
4. If appropriate the Director or designee informs the Board of incident and must provide a complete and accurate record of incident and supporting documents for possible Board action.
5. If appropriate, the administrator contacts law enforcement officials

Level III (Severe Infraction) Actions and Possible Responses:

a. Fighting on School Premises, Buses, or Sponsored Events

Parental Conference Required/Out of School Suspension

b. Destruction or Disrespecting of School Property Under \$100

Parental Conference Required/Suspension/Restitution When Appropriate

c. Theft

Parental Conference Required/Out of School Suspension/Contact Police When Appropriate

d. Threatening Use of a Weapon

Parental Conference Required/Out of School Suspension/Contact Police

e. Cursing at a Teacher or Administrator

Parental Conference Required/Out of School Suspension

f. Altering or Forging of Documents

Parental Conference Required/Out of School Suspension

g. Bullying, Intimidation or Defamation of Individual or Group's Character



Parental Conference Required/Out School Suspension

h. Off campus Violations While under HoLa Staff Responsibility

Parental Conference Required/Out of School Suspension

i. Simple Possession of Cub Scout Pocket Knife Without Intent

Parental Conference Required/Out of School Suspension/Possible Police Report

j. Repeated (2) offenses of Level II infractions

Parental Conference Required/Out of School Suspension

F. Level IV (Judicial Infraction)

Corrective Measures Administered by:

Administrators and Law Enforcement

Procedures

1. The observer will complete and submit a disciplinary form to an administrator.
2. The administrator investigates matter and written statements are taken as needed.
3. After reviewing the report and the completion of the investigation the administrator will confer with the parent about the documented misbehavior, its extent, and subsequent disciplinary action.
4. The director or designee informs the Board of incident and must provide a complete and accurate record of incident and supporting documents for possible Board action.
5. If appropriate, the administrator contacts law enforcement officials.

Level IV (Judicial Infraction) Actions and Responses:

- Possession or use of any weapon (firearm, box cutter, knife, anything used to inflict serious physical bodily harm)
- Stalking
- Arson
- Trespassing
- Harassment
- Threatening physical harm of an educator or staff member
- Selling or giving drugs, alcohol
- Destruction, defacing of school property above \$100
- Theft/burglary
- Terroristic threats in school, by phone or email
- False fire alarm or other significant alarm
- Assault or a violation of a level V infraction that results in any serious physical bodily harm to any persons
- Engaging in gang activity during school time, on school property or at sponsored events
- Joining a secret society prohibited by law
- Sexual activity or offenses, including exposing of one's private parts

All above listed infractions will trigger police notification, required parental conferences, exclusion from extracurricular



activities, out of school suspension pending Board Hearings and referrals to student support services.

Pupils assigned to a school bus must obey all school rules, and

- Show respect for the driver at all times
- Enter and leave the bus in an orderly manner
- Ride only the bus to which they have been assigned
- Be and remain seated while the bus is in motion
- Avoid reckless and boisterous activity at all times, including during waits at pickup points
- Talk in a reasonable tone of voice and avoid loud noises
- Extend no portion of the body or other object out a bus window
- Keep aisles clear at all times
- Refrain from bringing animals or bulky, unmanageable projects onto the school bus
- Refrain from smoking, eating, and drinking on the bus
- Possess, use, or distribute no substance

(Bus Infraction)

Corrective Measures Administered by:

Administrators, teachers and authorized personnel

Violations of the rules regarding student conduct on school buses will be handled as Follows:

- a. The driver will report the offensive conduct to the Director or designee of the school in which the student is enrolled by submission of a completed written form that includes the name of the student, the school, and the specific offensive conduct.
- b. The parent(s) or legal guardian(s) will be notified, by copy of the form, of the student's conduct.
- c. The Director or designee will determine the discipline to be administered, in accordance with the severity of the infraction. In general, when the offense is not severe:
 - (1) On the first notice of misconduct, the student will be counseled, the parent(s) or legal guardian(s) notified, and the student suspended from the bus for one school day.
 - (2) On the second notice of misconduct, the student and parent(s) or legal guardian(s) will attend a conference, and the student will be suspended from the bus for five school days; and
 - (3) On the third notice of misconduct, the Director or designee will confer with the parent(s) or legal guardian(s) and the



student will be suspended from the bus for a period not less than ten (10) school days or more than one trimester or the balance of the school year, whichever is less.

- d. When the misconduct is severe, the student may be summarily suspended from the bus pending a conference with the parent(s) or legal guardian(s) and further disciplinary action.

G. Administrative Hearing

Student, parent(s) and designated administration from the school will meet before the director to present and defend their positions. Each side will have the opportunity to present documentation supporting their position. The director or designee will, after listening, questioning, reviewing documentation, reviewing video or audio from both sides, render a decision within 5 days. The hearing can be recorded via audio and will be treated as other hard copy documents pertaining to a particular student.

H. Remedial Measures

The following remedial measures may be taken to aid in correcting student conduct and to ensure that the student is properly placed in an appropriate educational environment and is not in need of special education and/or related services.

1. Restitution and Restoration

- a. The student may be required, to:
 - (1) Make restitution, in kind or cost or labor, for any loss he/she has caused; or
 - (2) Restore to its former condition, by his/her own labor, any property the student has damaged or defaced.
- b. A student who refuses to make restitution or restoration as directed may be disciplined by one or more of the measures included in paragraph C.

2. Counseling

- a. The student may be required to consult with school guidance counselors to determine the causes of his/her misconduct and to assess the need for a change in educational placement.
- b. The counselor will explain:
 - (1) Why the student's conduct is unacceptable to the school and damaging to the student,
 - (2) What the consequences of continued misconduct are likely to be, and
 - (3) Appropriate alternate behaviors.



- c. The counselor may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to:
 - (1) Intervention and Referral Team,
 - (2) Member of the Child Study Team who is skilled in the area of concern,
 - (3) A public or private social agency, or
 - (4) A legal agency.

3. Parent Conferences

The student may be required to attend a meeting with his/her parent(s) and appropriate staff members to discuss the causes of the student's behavior, possible remediation, potential disciplinary measures, and alternative conduct.

4. Alternate Educational Program

The student may be assigned to an alternate educational program as recommended by the student's guidance counselor, classroom teacher, or the Child Study Team.

I. Disciplinary Procedures

1. The Student Code of Conduct shall be disseminated annually to all school staff, students, and parent(s). Director or designees will distribute these documents to all students on the first day of each school year and to transferring students on the first day of their enrollment in the school.
2. Teachers and administrators in charge of student discipline shall make every effort to administer these rules consistently and fairly.
3. The staff member who disciplines a student for conduct shall, however minimal the offense or the discipline,
 - a. Orally inform the student of the conduct for which he/she is being disciplined; and
 - b. Offer the student an opportunity to deny the charge or to present extenuating circumstances.
4. Where the discipline is greater than an admonishment, the student's parent(s) or legal guardian(s) will be notified of the offense and of the discipline imposed and will be offered an opportunity to confer with the teacher or School Director or designee.
5. Where the offense is serious and the discipline greater than detention, every effort will be made to notify the parent(s) prior to the informal hearing conducted.



6. An in-school suspension, suspension from school, or expulsion will be conducted in strict accordance with law.

J. Students with Disabilities

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. § 1400 et seq., the Individuals with Disabilities Educational Improvement Act, and accommodation plans under 29 U.S.C. §§ 794 and 705(20), student discipline and the code of conduct shall be implemented in accordance with the components of the applicable plans contained in the IEP.

K. Student Rights

Students subject to the consequences of the Student Code of Conduct & Procedures shall be informed of their rights, pursuant to N.J.A.C. 6A:16-7.1(c)3.i. through vii., that include:

1. Advance notice of behaviors that will result in suspensions and expulsions that have been identified under authority of N.J.S.A. 18A:37-2;
2. Education that supports students' development into productive citizens;
3. Attendance in safe and secure school environments;
4. Attendance at school irrespective of students' marriage, pregnancy, parenthood, sexual orientation or gender identity;
5. Due process and appeal procedures, pursuant to N.J.A.C. 6A:3-1.3 through 1.17, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3; and
7. Protections pursuant to 20 U.S.C. § 1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h and 34 CFR Part 98, Protection of Student Rights Amendment; N.J.A.C. 6:3-6, Student Records; 45 CFR § 160, Health Insurance Portability and Accountability Act; 20 U.S.C. § 6301, Title IV(A)IV § 4155 of the Elementary and Secondary Education Act as reauthorized under the No Child Left Behind Act; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, School-based drug and alcohol abuse counseling; information from participants; disclosure; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Creation; Student Records: Maintenance and Retention, Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9, Student Records; as well as other existing Federal and State laws pertaining to student protections.



L Records

1. Instances of student discipline will be recorded in the student's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy No. 8330.
2. When a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, disclosure of juvenile information; penalties for disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), N.J.A.C. 6A:32-7.5(e)10.iv., and N.J.A.C. 6A:16-7.10.
 - a. The record shall be provided within two weeks of the date that the student enrolls in the receiving district.
 - b. Written consent of the parent or adult student shall not be required as a condition of the transfer of this information, however, written notice of the transfer shall be provided to the parent or the adult student.
 - c. When a student transfers to a private school, which includes all sectarian or nonsectarian nonprofit institutional day or residential schools that provide education for students placed by their parents and that are controlled by other than public authority, all student disciplinary records, with respect to suspensions or expulsions, shall be provided by the public school district of residence to the private school upon written request from the private school, in the same manner as such records would be provided by a public school district of residence to another public school district, pursuant to N.J.A.C. 6A:16-7.10(b).
 - d. The Board shall not use a student's past offenses on record to discriminate against that student.
 - e. All student disciplinary records maintained in the district shall conform with the requirements set forth in N.J.A.C. 6A:16-7.10(d).

M. Annual Reports

The Director or designee of Hoboken Dual Charter School shall report annually on the implementation of the Student Code of Conduct & Procedures to the Board at a public meeting. The annual summary shall contain, at a minimum:

1. An approximate numerical inventory of all violations of the student behavioral expectations in the Student Code of Conduct & Procedures;
2. Associated school responses to the violations of the student behavioral expectations;



3. An explanation and evidence of the effectiveness of the Student Code of Conduct & Procedures. The explanation and evidence, at a minimum, shall address:
 - a. The degree of effectiveness of the school's activities in achieving the purposes of the Student Code of Conduct & Procedures, pursuant to the purposes as outlined in A. above; and
 - b. The degree and effectiveness of the implementation of the contents of the Student Code of Conduct & Procedures.

4. Any proposed changes to the school's current procedures, programs, or initiatives, based on the annual report.

Issued: